UNITED STATES DISTRICT COURT DISTRICT OF NEVADA * * * UNITED STATES OF AMERICA, 2:92-CR-00091-PMP-RJJ Plaintiff, **ORDER** VS. MICHAEL LEE DOMINGUEZ, Defendant.

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Attached to this Order is a copy of a one page letter dated December 17, 2013, addressed to The Honorable Lloyd D. George, Senior United States District Judge. Also attached is a twenty-six page Declaration by Mr. Dominguez dated January 4, 2012. The attached documents have been forwarded to the undersigned for consideration as Mr. Dominguez' case is assigned to this Court.

Approximately one year ago, the Court received a letter from Mr. Dominguez related to this case. At that time, the Court ordered the letter forwarded to the United States Attorney's Office for the District of Nevada for such action as they deemed appropriate (see Doc. #158). As this Court has no independent ability to act on the matters referred to in Mr. Dominguez' letter, the Court will follow the same procedure here.

IT IS THEREFORE ORDERED that the attached letter from Defendant Michael Lee Dominguez dated December 17, 2013, and the attached Declaration dated January 4, 2012, shall forthwith be referred by the Clerk of this Court via electronic filing

and also by United States Mail to the Office of the United States Attorney for the District of Nevada for such action as they deem appropriate.

IT IS FURTHER ORDERED that a copy of this Order shall also be sent by the Clerk of Court to Defendant Michael Lee Dominguez at his current address, D89394, D-20-145L, R-J Donovan Correctional Facility, 480 Alto Road, San Diego, CA 92179.

DATED: January 15, 2014.

PHILIP M. PRO

United States District Judge

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By Liada Seebach

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u a homore to an erticle in an obscure when she came scross a reference to it the Albuquerque Tribune, began investi Eting the plutonium story in 1987, Edeen Welsome, then a reporter for

Without their names, though, a 40-year-old story was headly news. We hired he their with numbers. Over time, their Gelaune's enitor told her. lives and their medical histories. to be the neighborhood reporter," But the sinjects were identified only

and CAL-3. She called Italy City Hall and described the man she wented to conte an African American, about 80 possing reference to the small town of ers old who had had his left leg aly and restized she would be able to Paranel Finally in July 1992 she noticed a

of his wife - number?" The story had stold, that he died a year ego. Do you, Traine iso ling for Bluer Allen," she

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five of the 18 subjects. come to life. Using the Freedom of Information Act, Welsome was gradualmonths later, Welsome had identified of the Department of Energy, which has ly able to pry additional information out Tribune published the story, some 16 nuclear research. By the time the inhanted responsibility for the nation's

months. Tribune had been seeking for jects, including material that the rediction research on human sublicly released voluminous records of new policy of openness," and pub-O'Leary called a big-deal press conference Dec. 7, 1993, to acmounce a then-Secretary of Energy Hazel Making a virtue of necessity the

media," Welsome said recently in to release it to the most powerful Denver, but I was getting best on 中Y OWn Story "Of course O'Leary would want

views, but Welsome was "way down After the press conference, O'Leary spent weeks giving inter-

itext of America's Cold War research, As she sums it up, "Thousends of experiment and set it in the larger conshe has told the story of the plutonium Prize for national reporting. In a new book, "The Plutonium Files," Wy Denver's alternative weekly. Westword, won the 1994 Pulitzer elsome, who now works for

> by the federal povernment.
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> Many of the subjects were not asked mals in rediction experiments finded by the federal covernment. Americans were used as laboratory ani Sireteires Dick Over 40 years

loved ones had been used as guines pigs ments. Some didn't learn they or their mation about the nature of these experifor their consent or given accurate infor-

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should have known that conducting until 1994 or 1995. Some still don't know, and naver will." Even in the 1940s most researchers

> standards, but by the standards of the President Clinton said some of the tests mitted its final report in October 1995 lished after O'Leary's disclosures subwere unethical, not only by today's time in which they were conducted

worked in one of the laboratories a biophysicist at Berkeley who had Commission called Patricia Durbin patients were still alive. find that several of the plutonium studying radiation. She was able to official from the Atomic Energy gers for thermonuclear weapons. An Denver that manufactured the trig-Flats, a weapons plant outside there was an accident at Rocky had happened to them. In 1967, the subjects wouldn't find out what took great pains to ensure that

eified Secret, and so it remained for some years,"

Durbin passed along her information agnosed, Durbin wrote. As a truck, the human data thus obtained was claslong anyway. But some were misdi-agnosed, Durbin wrote. "As a result, tor, they were not expected to live the experiment, she explained in a 1969 letter to a hospital administra-. At the time they were chosen for

human experiments without the sub When an advisory committee estabects' informed consent was wrong.

to Robert Rowland, director for the Center for Humon Rediobiology at

center began follow-up studies.

Argonne National Laboratory, and the

national values and the test of They failed both the test of our humanity."

at Argonne, and then went on to

Chicago, where tests were done on him expenses, he and his wife took a train to the follow-up study in 1973.

With the government paying all the Elmer Allen agreed to participate in

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Hospital, where many of the injections Rochester, N.Y., to Strong Memorial

questions, and she kept esking uptil she got the answers. had been done. "My mother thought this wee big stuff, coming from Italy Texas," people, not likely to eak questions, the 18 plutonium patients were identitesting you guys because we injected fied. "They were vulnerable, humble you with plutonium.'* Eventually 17 of England. It wasn't like they said, 'We're recelled Bimer's deughter, Bimerine Welsome said She thought she was the queen of Fortunately, Welsoma asked the

distributed by the Scripps Howard News Rocky Mountain News, This article was Linda Seebach writes for the Denver

A Michigan at Annual Prints

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